

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOEL MEDINA,

Defendant.

8:23CR43

ORDER

Defendant has moved, through his counsel, to continue the trial, ([Filing No. 32](#)), because Defendant's attorney needs time to review additional evidence he received with Defendant and the Defendant then needs to decide whether to enter a guilty plea or go to trial. The motion to continue is unopposed. The undersigned magistrate judge held a telephone conference with the attorneys regarding the motion on October 27, 2023. Based on the showing set forth in the motion, and the comments of counsel on the telephone conference, the court finds good cause and the motion should be granted. Accordingly,

IT IS ORDERED:

- 1) Defendant's Unopposed Motion to Continue, ([Filing No. 32](#)), is granted.
- 2) The trial of this case is continued pending further order of the Court.
- 3) A telephonic status conference with counsel will be held before the undersigned magistrate judge at 10:00 a.m. on November 9, 2023. Counsel for the parties shall use the conferencing instructions provided by the Court to participate in the call.
- 4) In accordance with 18 U.S.C. § 3161(h)(7)(A), the Court finds that the ends of justice will be served by granting this motion and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between October 27, 2023 and December 7, 2023, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant this motion would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, and the novelty and complexity of the case. The failure to grant this motion might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B). Failing to timely object to this order as provided under this court's local rules will be deemed a waiver of any right to later claim the time should not have been excluded under the Speedy Trial Act.

Dated this 30th day of October, 2023.

BY THE COURT:

s/ Susan M. Bazis
United States Magistrate Judge